

103 CMR 423.00: SPECIAL MANAGEMENT

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423.01 Purpose

103 CMR 423.00 establishes Department of Correction regulations concerning special management units.

423.02 Authorization

103 CMR 423.00 is issued pursuant to M.G.L. Chapter 124, § 1 (c) and(q). 103 CMR 423.00 is not intended to confer any procedural or substantive rights not otherwise granted by state or federal law, nor any private cause of action.

423.03 Cancellation

103 CMR 423.00 cancels all previous departmental policy statements, bulletins, directives, orders, notices, rules and regulations regarding institution special management units.

423.04 Applicability

103 CMR 423.00 applies to those institutions either operating special management units designated by the superintendent of the institution or otherwise housing inmates on administrative segregation, protective custody, or disciplinary detention status. 103 CMR 423.00 does not apply to inmates housed in a departmental segregation unit or a department disciplinary unit.

423.05 Access to Regulations

103 CMR 423.00 shall be maintained within the Department of Correction's central policy file, in each institution's central policy file, in each institution's inmate law library, and may be made available to the public upon request.

423.06 Definitions

Administrative Segregation: A temporary form of separation from general population used when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff or other inmates, or to the security or orderly running of the institution, e.g., inmates pending investigation for a disciplinary or criminal offense or pending transfer may be placed in administrative segregation.

Director of Security: The individual responsible for the overall security within a correctional institution through formulation and enforcement of rules and regulations and by overseeing the performance of security staff.

Disciplinary Detention: As referenced in M.G.L. c. 127. § 40 as isolation; Disciplinary Detention is the separation from the general population of an inmate who has been found guilty of a serious violation of the regulations. Such sanction shall not exceed 15 days for one offense and no more than 30 days for all violations arising out of the same or substantially connected incident(s), unless specifically authorized by the commissioner. This status may be imposed only after complying with all provisions of 103 CMR 430.00: Disciplinary Proceedings. Disciplinary detention does not refer to inmates sentenced to a department disciplinary unit.

General Population: Any housing area other than a special management unit, health service unit, departmental segregation unit, departmental disciplinary unit, or the departmental protective custody unit.

Protective Custody: A form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The inmates status is reviewed periodically by the classification committee or designated group with the goal of terminating the separate housing assignment as soon as possible.

Special Management Unit: A separate housing area from general population within institutions in which inmates may be confined for reasons of administrative segregation, protective custody, or disciplinary detention.

Shift Commander: That officer designated by the superintendent to be responsible for the supervision of all subordinate custodial staff and the care and custody of inmates during an assigned tour of duty.

Superintendent: The chief administrative officer of a correctional institution.

423.07 Establishment of Special Management Units

Each superintendent of an institution with a security rating level of 4, 5, or 6 may designate an area or areas within the institution to be used for housing inmates placed into:

- (a) Administrative Segregation
- (b) Protective Custody
- (c) Disciplinary Detention

423.08 Placement, Review and Release Procedures

Each Superintendent shall develop procedures regarding the placement, review and release of inmates in special management units.

(1) Assignment to Administrative/Protective Custody Segregation and Protective Custody.
An inmate may be placed in administrative segregation by the commissioner or his designee, or superintendent, or his designee, e.g., disciplinary officer, shift commander, or members of an inmate's unit team. Placement in administrative segregation/protective custody may occur in instances such as, but not limited to, when an inmate:

- (a) Is awaiting a hearing for a violation of institution rules or regulations;
- (b) Is awaiting an investigation of a serious violation of institution rules or regulations;
- (c) Is pending investigation for disciplinary offenses or criminal acts that may have occurred while incarcerated;
- (d) Requests admission to administrative segregation for his/her own protection or staff recommends that placement in or continuation of such status is necessary for the inmate's own protection and that no reasonable alternatives are available;
- (e) Is pending transfer;
- (f) Is pending classification;
- (g) Is placed in administrative segregation following a disciplinary hearing.

(2) Review of administrative segregation and protective custody inmates:

- (a) Inmates will have a physical screening by health care staff prior to being placed into a special management unit on administrative segregation or protective custody status or immediately after arrival in the special management unit.
- (b) The status of each inmate placed in a special management unit on administrative segregation or protective custody status should initially be reviewed by the superintendent or designee within 72 hours of placement. Thereafter, each inmate's status should be reviewed every seven days for the first two months and at least every 30 days thereafter by a classification committee or other authorized group.
- (c) Inmates with long-term protective custody needs should be reviewed, and where appropriate, classified to a departmental protective custody unit. After classification to a departmental protective custody unit, an inmate's placement shall be reviewed in accordance with 103 CMR 420: Classification.

(d) A qualified mental health professional shall personally interview and prepare a written report on any inmate remaining for more than 30 days in administrative segregation or protective custody status. If such confinement continues, a psychological assessment shall be made at least every 90 days thereafter - more frequently if prescribed by the chief medical authority.

(3) Placement in Disciplinary Detention An inmate may be placed in disciplinary detention only after being found guilty of a serious violation of regulations. Disciplinary detention shall not exceed 15 days for any one offense and no more than 30 days for all violations arising out of the same or substantially connected incident(s), unless specifically authorized by the commissioner, and only after complying with all provisions of 103 CMR 430, Disciplinary Proceedings.

(4) Review of Disciplinary Detention Status The superintendent shall designate such person(s) as he deems appropriate to review the status of inmates housed on disciplinary detention on a weekly basis.

A qualified mental health professional shall interview and prepare a written report on any inmate remaining in disciplinary detention for more than 30 days. If such confinement continues, a psychological assessment shall be made at least every 90 days thereafter - more frequently if prescribed by the chief medical authority.

423.09 Conditions of Confinement

(1) Administrative Segregation/Protective Custody Each superintendent shall develop procedures for the conditions of confinement of all inmates housed in special management units.

(a) Personal Items: Inmates should, as far as reasonably practicable, be provided clothing that is comparable to that permitted in population. Property will be restricted to what is permitted in 103 CMR 403.11, Approved Inmate Personal Property - Transient with the exception of a cigarette lighter that is prohibited. In addition, each inmate will be permitted a radio. The superintendent is authorized to further limit the amount of property and to issue jumpsuits in lieu of such clothing for security purposes, if there is imminent danger that an inmate or inmates will destroy an item, or induce injury to self or others.

(b) Personal Hygiene: Inmates shall have the opportunity to shave and shower at least three times per week. Additionally, all inmates shall be issued an allowed exchange of clothing, bedding, and linen, and provided laundry, barbering, and hair care services on the same basis as general population. Exceptions shall only be permitted when found necessary by the supervising officer on duty, and shall be recorded in the unit log and justified in writing.

(c) Meals: All inmates shall receive the same meals as those served to the general population unless being placed upon alternate feeding. Alternative meal service may be provided to an inmate in a special management unit who uses food or food service equipment in a manner that is hazardous to self, staff, or other inmates. Alternative meal service is provided on an individual basis, based on health or safety considerations only,

meets basic nutritional requirements, and occurs with the approval of the superintendent and responsible health authority. The substitution period shall not exceed seven days.

(d) Mail: All inmates shall be provided the same opportunities for writing and receipt of letters as is available to the general population.

(e) Visitation: Inmates shall normally have opportunities for visitation similar to general population unless articulable reasons for withholding such privileges exist. The length and number of visits may be limited due to space, schedules, personnel constraints or when there is a substantial reason to justify limitation.

(f) Legal Material: All inmates shall have access to legal materials and legal reference material.

(g) Reading Material: Inmates shall have access to reading materials and the opportunity to borrow reading materials from the institution library.

(h) Exercise: All inmates shall receive one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise.

(i) Telephone Access: Inmates shall be allowed telephone privileges in accordance with institutional procedure. Superintendents may set limits on the permitted number of telephone calls.

(j) Programs: Inmates shall receive the services of a correctional program officer. Inmates may participate in such educational vocational and/or rehabilitative programs as can be provided within the confines of the special management unit, consistent with the security needs of the unit. Emphasis shall be placed on making rehabilitative programming available which has as its goal the return of persons to the general prison population. The institutional chaplain(s) shall visit special management units weekly. Programs may be limited to those inmates who have been or are likely to be confined on a long term basis.

(k) Canteen: Inmates may order stamps, cosmetics and legal supplies from the canteen. These items may be withheld if the institution's director of security determines that they pose a threat to the security of the special management unit.

(l) Medical Services: All inmates shall receive visits from a member of the health services unit daily, unless medical attention is needed more frequently. All inmates in need of prescribed medications and/or therapeutic diets, as approved by health service staff, shall be provided such.

(2) DISCIPLINARY DETENTION Each Superintendent shall develop procedures for the conditions of confinement of all inmates housed on disciplinary detention status in special management units.

(a) Personal Items: Inmates shall be provided clothing that is comparable to that permitted in population. Property will be restricted to what is permitted in 103 CMR 403.00 et seq., Approved Inmate Personal Property - Transient with the exception of a cigarette lighter which is prohibited. Inmates will not be permitted a television or radio. The superintendent is authorized to further limit the amount of property and to issue jumpsuits in lieu of such clothing for security purposes, if there is imminent danger that an inmate or inmates will destroy an item, or induce injury to self or others.

(b) Personal Hygiene: Inmates shall have the opportunity to shave and shower at least three times per week. Additionally, all inmates shall be issued an allowed exchange of clothing, bedding, and linen, and provided laundry, barbering, and hair care services

on the same basis as general population. Exceptions shall only be permitted when found necessary by the supervising officer on duty, and shall be recorded in the unit log and justified in writing.

(c) Meals: All inmates shall receive the same meals as those served to the general population unless being placed upon alternate feeding. Alternative meal service may be provided to an inmate in a special management unit who uses food or food service equipment in a manner that is hazardous to self, staff, or other inmates. Alternative meal service is provided on an individual basis, based on health or safety considerations only, meets basic nutritional requirements, and occurs with the approval of the superintendent and responsible health authority. The substitution period shall not exceed seven days.

(d) Mail: All inmates shall be provided the same opportunities for writing and receipt of letters as is available to the general population.

(e) Visitation: Inmates on disciplinary detention shall only be allowed visits from their attorneys/paralegal assistants unless otherwise authorized by the superintendent. The length and number of visits may be limited due to space, schedules, personnel constraints or when there is a substantial reason to justify limitation.

(f) Legal Material: All inmates shall have access to legal materials and legal reference material.

(g) Reading Material: Superintendents may limit access to and/or the amount of reading materials made available to inmates on disciplinary detention status.

(h) Exercise: All inmates shall receive one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise.

(i) Telephone Access: Inmates shall receive only limited use of the telephone for emergency calls and calls to the attorney of record in connection with prospective or pending litigation. Procedures shall specify hours of availability, length of calls, and limitation that apply.

(j) Programs: Access to programs while on disciplinary detention shall be prohibited unless remaining on such status for over 60 days.

(k) Canteen: Canteen purchases shall be restricted to cosmetic items only. Superintendents may restrict the amount and type of cosmetic items purchased.

(l) Medical Services: All inmates shall receive visits from a member of the health services unit daily unless medical attention is needed more frequently. All inmates in need of prescribed medications and/or therapeutic diets, as approved by health service staff, shall be provided such.

423.10 Control and Management

Each superintendent whose institution contains a special management unit shall establish written procedures governing the following:

(1) Personnel Selection, Training, and Evaluation: Procedures shall govern the selection criteria, supervision, and rotation of staff who work directly with inmates in a special management unit on a regular daily basis.

(2) Records: Procedures shall establish permanent logs and for documentation of all activities and events including, but not limited to: admissions and releases, unit visitors, unusual

events, inmates' opportunities for showering, out of cell exercise, and telephone access, and deprivation of any usually authorized items or privileges of an inmate. In the latter mentioned instance, any such deprivation of a usual item or activity shall require that a report be filled out and sent to the director of security or designee and to the inmate's case folder.

(3) Supervision

(a) Procedures shall require that all inmates on administrative segregation, protective custody or disciplinary detention status are personally observed by correctional staff at least every 30 minutes, on an irregular schedule, unless their behavior requires more frequent observation.

(b) Procedures shall require daily tours of inspection by the shift commander or designee and the logging of times and results of such inspections.

(c) Procedures shall require that inmates on protective custody or administrative segregation status receive visits from program staff upon request.

(4) Safety Procedures shall provide for the safe evacuation of all inmates in the event of a fire or other emergency.

(5) Cell Furnishings and Fixtures Procedures shall require supplying each cell in which an inmate is housed with a bed, table, chair/stool, one blanket, two sheets, one pillow and one pillow case. Additionally, procedures shall be established listing personal items authorized for retention in inmates' cells according to status.

(6) Security and Control

(a) Movement Within The Unit Procedures shall provide for when inmates may be released from their cells and how they are supervised, the number of inmates to be permitted out of their cells at any one time, and the visitation of inmates.

(b) Searches and Seizures Procedures shall provide for searching an inmate or his cell, frequency of searches conducted, searching of clothing, laundry or other property, and for the storage of any property of the inmate which is confiscated as a result of a search.

(c) Security Inspection Procedures shall provide for security inspections to occur at the frequency of once per shift for the entire unit.

423.11 Responsible Staff

(1) The director of policy development and compliance shall be responsible for implementation of this policy and for the review of all institutional procedures.

(2) Each superintendent shall develop all necessary procedures in accordance with this policy and shall ensure that institutional practice conforms to these directives.

423.12 Review Date

103 CMR 423.00 shall be reviewed annually from the effective date by the director of policy development and compliance.

423.13 Severability Clause

If any article, section, subsection, sentence, clause or phrase of 103 CMR 423.00 is for any reason held to be unconstitutional, contrary to statute, in excess of the authority of the Commissioner or otherwise inoperative, such decision shall not affect the validity of any other article, section, subsection, sentence, clause or phrase of 103 CMR 423.00.

REGULATORY AUTHORITY

103 CMR 423.00: M.G.L. c. 124, § 1(c) and (q)

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
STANDARD OPERATING PROCEDURES
SPECIAL MANAGEMENT UNITS**

PURPOSE: To establish standard operating guidelines for those Department of Correction facilities operating Special Management Units (SMU). These units are for inmates who, in the opinion of the facility superintendent, demonstrate their inability to function under departmental and institutional regulations and as a result require increased control for safety and security reasons.

I. Chain of Command

- A. Each superintendent shall assign a supervisory staff member to oversee the management and daily operation of the Special Management Unit to ensure safe, consistent operation.
- B. Each superintendent shall assign staff to the unit during each shift, ensuring experienced supervisors and correctional officers are utilized consistent with 103 DOC 515, Security Employees Assigned to A Special Management Unit.

II. Placement, Review and Release

- A. Inmates shall be placed in a Special Management Unit only with the approval of the commissioner or his/her designee, superintendent or his/her designee or the facility shift commander. An inmate shall only be placed into one of the following statuses:
 - (AS) **Administrative Segregation** – A temporary form of separation from general population used when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff or other inmates, or to the security or orderly running of the institution, e.g., inmates pending investigation for a disciplinary or criminal offense or pending transfer may be placed in administrative segregation.
 - (PC) **Protective Custody** – Used for reviewing instances when the inmate is requesting or requiring protection from other inmates for reasons of health or safety. Upon completion of the review the facility shall determine if the inmate can be returned to general population, needs to be classified to another facility; or be placed in the Department Protective Custody Unit. Placement in the MCI Concord Special Housing Unit(SHU) can only occur after a finding by the commissioner or his/her designee that the inmate cannot be safely placed in the general population of any state correctional facility (103 CMR 422).

(DD) Disciplinary Detention – As referenced in M.G.L. c. 127. § 40 as isolation; Disciplinary Detention is the separation from the general population of an inmate who has been found guilty of a serious violation of the regulations. Such sanction shall not exceed fifteen (15) days for one offense and no more than 30 days for all violations arising out of the same or substantially connected incident(s), unless specifically authorized by the commissioner. This status may be imposed only after complying with all provisions of 103 CMR 430.00: Disciplinary Proceedings. Disciplinary detention does not refer to inmates sentenced to a department disciplinary unit (DDU).

- B. Once an inmate is placed in a Special Management Unit, the inmate's status shall be reviewed within 72 hours by the superintendent's designee and thereafter by a classification committee or other authorized group. This committee shall have the authority to determine if further segregation and/or release is warranted. The committee shall review the reason for placement, threat to institutional security, pending disciplinary issues, disciplinary sanctions, classification issues, enemy situations, mental health issues, attitude toward authority, willingness and ability to live with others, etc. To ensure proper documenting of this review the committee shall maintain a Special Management Unit report that lists each inmate housed in the unit, their status, date admitted, date of last review, release date if applicable and any other information the superintendent feels appropriate. This report shall be signed by the chairperson of the committee. This review shall be documented in the SMU Reviews screen on the Inmate Management System (IMS).
- C. Any inmate on Administrative Segregation or Protective Custody status, after being initially reviewed, shall have his status reviewed by the classification committee or other authorized group every seven days for the first two months and then every thirty days thereafter. Such review shall be documented on the Special Management Unit report and signed by the chairperson of the committee. This review shall be documented in the SMU Reviews screen.

III. Medical Reviews/Rounds

- A. Prior to or immediately upon placement in a Special Management Unit, the inmate shall be screened by medical staff. This screening shall be documented and placed in the inmate's medical record. This shall be documented on the SMU Inmate Information screen.
- B. Each inmate housed within a Special Management Unit shall be visited daily by a member of the medical staff (unless medical attention is needed more frequently) to ensure his health and well-being are maintained. These visits shall be in addition to medication pass, shall be announced and documented in IMS.

Documentation shall be separate from a medication log and include that an announcement has been made. Additional documentation by medical staff will be made on the SMU Inmate Daily Log screen.

- C. A qualified mental health professional shall personally interview and prepare a written report on any inmate remaining in the Special Management Unit for more than thirty days. If confinement continues beyond thirty days, a mental health assessment by a qualified mental health professional is to be made at least every three months- more frequently if prescribed by the chief medical authority. This assessment shall be documented and placed in the inmate's medical record and forwarded to the superintendent/designee. Completion of the assessment shall also be documented in the Mental Health/Substance Abuse History screen.

IV. **Conditions of Confinement**

Each superintendent shall ensure each Special Management Unit functions in a way that provides for security, safety and orderly operation. The following guidelines shall be followed:

A. **SMU Activity Log Sheets**

SMU Activity Log sheets (Attachment A) shall be maintained for each inmate in the Special Management Unit. These sheets are a weekly mechanism for staff to document the rounds completed, meals served, showers and exercise offered, medical rounds completed and inmate visits received. These sheets must be accurately maintained at all times. The SMU Inmate Daily Log and door sheet reports obtained via the button on the screen shall be used in conjunction with the Unit/Activity Log screen instead of Attachment A. It is the responsibility of each shift supervisor to ensure staff fully complete these sheets or screens during their tour of duty and take corrective action if necessary.

Any deprivation of an item or activity listed on the activity log sheet or SMU Inmate Daily Log screen shall require that an incident report be completed and sent to the director of security or designee explaining the reason for the deprivation.

B. **Administrative Segregation/Protective Custody Inmates**

Observation – All inmates shall be visually observed by a unit officer on an irregular schedule. No round in the unit should exceed thirty minutes from the previous round completed. These rounds shall be documented on the SMU Activity Log Sheet/ IMS SMU Inmate Daily Log Screen. A superintendent can authorize a special observation detail for those inmates who need to be monitored more closely due to their behavior. The "Security Watch" field on the SMU Inmate Information screen shall be completed with the observation frequency, if applicable.

Meals - All inmates shall receive the same meals as those served to the general population unless placed on alternate feeding as described in section IV. All meals shall be served by staff via the cell food slot. To control the flow of contraband in the unit, meal trays shall be searched and the contents visually inspected prior to giving the meal to the inmate. Each meal offered to an inmate shall be documented on the SMU Activity Log Sheet/ IMS SMU Inmate Daily Log screen.

Alternate Feeding - Standard food services shall be made available to inmates in Special Management Units, providing their participation is consistent with the safety and security of the institution and its employees. Any inmate, who becomes disruptive or assaultive by either throwing food, food trays or containers, or by utilizing food or drink containers to assault staff with food or any substances, may be placed on alternate feeding status as a result of such actions. Inmates on alternate feeding status shall receive the same meals as those given to the population. Alternate feeding is considered the method to deliver and retrieve the food from the inmate and not an adjustment to the meal itself.

The Special Management Unit officer in charge or shift commander may place an inmate on alternate feeding pending the approval of the superintendent and the responsible health authority. Placement on alternate feeding must be in accordance with the guidelines established in 103 DOC 760, Food Services.

The Special Management Unit officer in charge or shift commander shall submit a copy of the disciplinary report with an alternate feeding form (attachment B) to the superintendent stating the reasons why alternate feeding is requested.

The superintendent shall return approved requests for alternate feeding to the Special Management Unit officer in charge (OIC).

Once approval is received for alternate feeding, the Special Management Unit officer in charge (OIC) shall enter the approval in the SMU Inmate Information screen.

Once alternate feeding is implemented, the following feeding procedure shall be followed:

If the physical design of the cell door allows for the delivery of food without inmate contact i.e., the delivery of the meal through the leg iron restraint slot without the need to breach the cell door, this shall be the preferred method of delivery. However, if the physical design of the door does not allow for the delivery of food in such a manner, the following procedure shall be adhered to:

- (1) Two staff members shall be utilized and the cell light shall be turned on.

- (2) The inmate shall be asked to willingly comply with alternate feeding procedures.
- (3) If the inmate is willing to comply the food slot will then be opened, the inmate shall be ordered to turn around and back up to the door, placed in hand cuffs and ordered to sit down on the bed. Once the inmate is sitting on the bed the door to the cell shall be opened and the meal shall be placed in the cell. The door to the cell shall be re-secured and the inmate shall be ordered to turn around and back up to the door so the restraints can be removed. Once the meal is consumed the same process shall be utilized to retrieve all food and equipment. No food/utensils shall remain in the cell.
- (4) If the inmate refuses to comply with any of these feeding procedures, it shall constitute a refusal to accept the meal and an incident report shall be submitted. The refusal shall also be noted on the inmate's activity sheet/IMS SMU Inmate Daily Log screen and in the unit logbook/IMS Unit/Activity Log screen.
- (5) All inmates placed on alternate feeding shall be reviewed daily by the SMU officer in charge (OIC) or Shift Commander.
- (6) The duration of alternate feeding status shall be consistent with 103 DOC 760 – Food Service policy.

Therapeutic Diets - Inmates on therapeutic diets shall be afforded the same food values in accordance with their therapeutic diet while on alternate feeding status. Any complaints regarding therapeutic meals shall be submitted to the Special Management Unit officer in charge or direct a formal complaint to the superintendent in accordance with the 103 DOC 761 Access to Therapeutic Diets and Medical Care.

Personal Hygiene - Inmates shall have the opportunity to shave and shower at least three times per week. Each superintendent shall establish the days and shifts showers shall be offered. Each shower offered to an inmate shall be documented on the SMU Activity Log sheet/ IMS SMU Inmate Daily Log screen. Barbering shall be made available on the same basis as general population.

Linen and Bedding - Suitable clean bedding and linen, including two sheets, one pillow and one pillow case, one mattress, two towels, one wash cloth and sufficient blankets to provide comfort under existing temperature controls. Each superintendent shall ensure there is an adequate method to exchange and/or launder clothing, linens and bedding weekly.

Exercise - All inmates shall receive one hour of exercise per day, five days per week, outside their cells, unless security or safety considerations dictate otherwise. Each superintendent shall establish a schedule on what days and shifts

exercise shall be offered. Each exercise period offered to an inmate shall be documented on the SMU Activity Log Sheet/ IMS SMU Inmate Daily Log Screen. Inmates will normally exercise alone unless physical plant limitations dictate otherwise. All exercise periods shall be supervised and monitored by a staff member.

Property - Property within a Special Management Unit shall be restricted. However, personal property must be strictly controlled to prevent its use for high risk activity and to maintain the safety and security of the unit. Inmates should, as far as reasonably practicable, be provided clothing that is comparable to that permitted in population. Property will be restricted to what is permitted in 103 CMR 403.09, Approved Inmate Personal Property - Transient. In addition, each inmate will be permitted a radio. The superintendent is authorized to further limit the amount of property and to issue jumpsuits in lieu of such clothing for security purposes, if there is imminent danger that an inmate or inmates will destroy an item, or induce injury to self or others. In this regard only the following personal property items are authorized:

Three (3) red jumpsuits or (3) trousers and shirts;
One (1) radio;
One (1) wedding ring;
One (1) medical alert medal/bracelet;
Paper/stamps/pens/pencils - limited quantities at the discretion of the superintendent;
Letters, Post Cards, Personal Pictures - (amount not to exceed that which can fit in a shoe box size);
Container – (5” high, 9” wide, 13” long);
Legal Documents – one cubic foot only (each superintendent shall provide a system for the inmate to exchange legal documents);
Hygiene items (inside cell) – (1) toothbrush, toothpaste, (1) bar soap, (1) comb and brush;
Hygiene items (outside cell) - any other hygiene items sold via the SMU Canteen order form. Issued during shower periods;
Prescription Eyeglasses;
Hearing Aids and prosthetic devices;
Underwear/t-shirts/socks – 7 pairs each
Seven (7) Bras (female only - no under wire);
One (1) pair footwear – and one pair of shower shoes; and
One (1) handkerchief.

Clean and suitable coats and hats shall be issued as needed for outside exercise. These items shall be retained in the cell.

Canteen items shall be limited to what can be ordered from the SMU Canteen Order form. Superintendents shall determine any limitations on the quantities allowed to be retained in the cell.

Mail - All inmates shall be provided the same opportunities for writing and receipt of letters as is available to the general population. A locked portable mailbox shall be provided for each Special Management Unit. The locked mailbox on a daily basis shall be brought by each cell to give the inmate an opportunity to deposit outgoing mail. The mail officer shall pick up the mail in accordance with facility procedures. The unit supervisor shall ensure mail delivered to the unit is forwarded to the appropriate inmate.

Visitation - Inmates shall normally have opportunities for visitation similar to general population unless articulable reasons for withholding such privileges exist. The length and number of visits may be limited due to space, schedules, personnel constraints or when there is a substantial reason to justify limitation. Superintendents shall ensure that inmates on Administrative Segregation/Protective Custody status are allowed to receive a minimum of two visits per week. These visits must be pre-scheduled and will not be longer than one hour in duration. Visits shall be pre-scheduled in the Inmate Schedule screen. The days of the week and time periods are at the discretion of the superintendent but must meet the requirements of 103 CMR 483, Visiting Procedures. Attorney visits shall not be limited in amount or duration. Each visiting period received by an inmate shall be documented on the SMU Activity Log Sheet (Attachment A)/IMS SMU Inmate Daily Log screen.

Legal Supplies - All inmates shall have access to legal supplies and legal reference material. Each superintendent shall at a minimum afford inmates either the opportunity to go to or access the law library on a weekly basis or provide a mechanism for the inmate to obtain legal materials and legal reference material on a weekly basis. The Law Library Services/Materials Request Form (Attachment E) shall be used for this purpose.

Reading Material - Superintendents shall provide that inmates in a Special Management Unit have access to reading materials and the opportunity to borrow reading materials from the institution library. Reading material shall be limited to a quantity of ten (10) publications in each cell. Inmates shall have the access and availability to purchase books published in hard cover from approved vendors. Prior to ordering hard cover book(s), inmates must sign a waiver (see attachment) authorizing the institution's property staff to remove and destroy the hard covers upon receipt. The signed waiver shall be kept in the inmate's property file. Once the hard cover book is received by the Institution Property Officer, the hard cover shall be removed and destroyed, and the book shall be delivered to the inmate.

Telephone Access - Inmates shall be allowed to receive the use of the telephone for personal calls twice per week for fifteen minutes per call. Calls to the attorney of record in connection with prospective or pending litigation are not limited in amount or duration. Emergency phone calls may be approved by the shift commander. Telephone calls shall be documented on the weekly Telephone Use Log (Attachment D). Attachment D shall be utilized for the inmate request and

OIC approval, however, the status of phone calls completed, not completed, or refused shall instead be documented in the SMU Inmate Daily Log screen.

Programs - The superintendent shall assign and ensure that inmates receive the services of a correctional program officer.

Inmates may participate in such educational, vocational and/or rehabilitative programs as can be provided within the confines of the Special Management Unit, consistent with the security needs of the unit.

The superintendent shall ensure that institutional chaplain(s) visit Special Management Units weekly. Visits shall be documented in the Unit Visitor Log screen.

C. **Disciplinary Detention Inmates**

Each Superintendent shall ensure that the conditions of confinement of all inmates housed on disciplinary detention status in Special Management Units are the same as those provided for inmates on Administrative Segregation/Protective Custody status with the exception of the following:

Property – The same as inmates on Administrative Segregation/Protective Custody status.

Reading Material – Only one religious book is allowed. A one for one exchange is allowed for another religious book.

Visitation – No visits allowed except for Attorney visits.

Telephone Access – No personal phone calls are allowed. Inmates shall be allowed to receive the use of the telephone for calls to the attorney of record in connection with prospective or pending litigation. These calls are not limited in amount or duration. Emergency phone calls may be approved by the shift commander. All attorney telephone calls shall be documented on the Weekly Telephone Use Log (Attachment D). Attachment D shall be utilized for the inmate request and OIC approval, however, the status of phone calls completed, not completed, or refused shall instead be documented in the SMU Inmate Daily Log screen.

Programs – Inmates on Disciplinary Detention are not eligible to participate in educational, vocational and/or rehabilitative programs until such time as their sanction has been served.

V. **Standard Unit Operation**

Each superintendent shall ensure that the Special Management Unit adheres to the following minimum operating guidelines.

A. **MOVEMENT – ROUTINE USE OF RESTRAINTS IN SPECIAL MANAGEMENT UNITS**

1. Movement Inside The Special Management Unit

- i. Whenever an inmate is to be removed from his/her cell for routine movement inside a segregation unit the inmate shall be handcuffed behind the back.
- ii. The inmate shall be handcuffed prior to opening the door and shall be moved under a hands-on escort by two staff members.

2. Movement Outside The Special Management Unit

- i. Whenever an inmate is to be moved outside the unit the inmate shall be handcuffed behind the back and placed in leg irons.
- ii. The inmate shall be handcuffed and placed in leg irons prior to the cell door opening. Those facilities where leg irons cannot be logistically placed on an inmate prior to the cell door opening shall ensure that handcuffs are applied prior to opening the door. The leg irons shall then be applied inside the room.
- iii. Routinely all movement of inmates outside the Special Management Unit shall be under a hands on escort by two staff members. Exceptions, as approved by the superintendent, may be made when moving inmates to areas such as the law library, etc; under these circumstances the number of inmates moved shall be kept to a minimum. The group shall be escorted by a minimum of two staff members who shall position themselves behind the inmates when moving to the area.

3. Movement for Recreation

- ii. All Special Management Unit inmates shall be moved to the recreation area handcuffed behind the back under a hands on escort by two staff members.
- ii. Once secured in the recreation area the restraints shall be removed.

B. **EXTRA RESTRAINT STATUS FOR POTENTIALLY VIOLENT/ASSAULTIVE SPECIAL MANAGEMENT UNIT INMATES**

1. In the event an inmate is deemed a risk to the unit and/or staff due to the inmate's behavior extra restraints may be authorized by the superintendent or designee (Attachment C). Authorized extra restraints should be noted in the "Other Restrictions" field on the SMU Inmate Information screen.
 2. Any movement outside of the cell by an inmate placed on extra restraint status shall be in waist chains and leg irons.
 3. An inmate on extra restraint status shall exercise alone and remain in restraints for the entire exercise period.
 4. The status of any inmate placed on extra restraints shall be reviewed every three days by the superintendent or designee for the continued need to utilize extra restraints. Each superintendent shall develop a mechanism to document the approval of extra restraint status and any subsequent reviews thereafter.
- C. **Entrance** – Access to the unit shall be strictly controlled. Only authorized staff shall be allowed entrance to the unit. Superintendents shall ensure that the unit is free from escape or external intrusion. In this regard, entrance traps shall be interlocked or manually controlled to ensure only one door is opened at a time. No operational key rings within the unit shall have a key that can get staff or an inmate completely out of the unit. With the exception of an emergency key ring, no operational key ring within the facility should allow staff or an inmate outside the unit to gain access into the unit. Due to limited staffing and to ensure the safety and security of staff, the 11-7 shift should not have a key to access the inmate cells. If an emergency exists, the key should be provided via an emergency key ring.
- D. **Searches/Inspections** – Each inmate cell within a Special Management Unit shall be searched weekly and the search documented. Searches shall be documented in the applicable screens in accordance with the 103 DOC 506 Institution Search Plan policy.

Any item of property removed by an officer from an inmate's cell shall be held as follows:

1. Property which could be evidence in disciplinary or criminal proceedings shall, by the end of the seizing officer's tour of duty, be delivered to the Superintendent or his designee for safekeeping or delivery to the appropriate law enforcement agency.
2. All other property which has been removed shall be forwarded to the property officer who shall inventory and store such property until such time as it is disposed of in accordance with 103 CMR 403.14.

Any inmate entering or leaving the unit, including inmate workers, shall be strip searched. All inmates shall be searched in a secure holding room or cell. Inmate workers are required to wear a jumpsuit while in the unit (any color except for red).

Food trays shall be searched by staff prior to issuance to the inmate.

Each inmate cell shall be subject to a security inspection each shift in accordance with 103 DOC 504, Security Inspections. Segregation units, detention units and holding cells in all facilities shall be inspected once per shift.

- E. **Records/Log Books** - It is the responsibility of the Special Management Unit officer in charge to read the logbook/IMS Unit/Activity Log screen entries of the previous two (2) shifts for information such as admissions, discharges, changes in status, operational issues, etc.

It is the responsibility of the Special Management Unit officer in charge to maintain the unit logbook and to ensure that all pertinent information regarding all situations that arise on the shift are properly recorded. Facilities shall record this information on the Unit/Activity Log screen. The unit logbook shall be maintained in a secure area in the Special Management Unit. The following information, as well as the time of each entry must be entered in the logbook/IMS Unit/Activity Log screen:

1. Accounting of all keys and equipment;
2. All personnel working in the unit;
3. Counts;
4. Meal carts entering and leaving the unit and officer assigned;
5. Assigned staff who leave the unit, to include destination and their actual time of return to the unit;
6. Any significant incidents occurring in the unit, including incident reports and disciplinary reports;
7. Any equipment leaving the unit, with whom and destination;
8. Maintenance workers entering the unit and duties performed, to include inmate workers;
9. Laundry;
10. Status changes and person authorizing same;

11. Names and titles of authorized staff ingressing/egressing the unit to conduct official business and the purpose of their visits. These entries will be made in red ink and the staff member entering the unit will initial the logbook entry (along with the officer-in-charge who is required to initial each logbook entry). This information shall be entered in the Unit Visitor Log screen instead of the Unit/Activity Log screen; and
12. Admissions and discharges of inmates to and from the unit. The following information must be logged in the logbook/IMS Unit/Activity Log screen:
 - i. Date the inmate enters the unit;
 - ii. Inmate name;
 - iii. Inmate commitment number;
 - iv. Reason for placement in the Special Management Unit;
 - v. Staff member who ordered the Special Management Unit placement;
 - vi. Unit the inmate came from;
 - vii. Escorting staff members names; and
 - viii. Date inmate is discharged from the Special Management Unit.

Additionally, the SMU Inmate Information screen shall be completed upon each inmate's admission and discharge to and from the unit.

- F. **Evacuation Procedure** – Each superintendent shall ensure for the safe evacuation of the unit upon the discovery of a fire, extensive smoke or any other emergency. Each unit shall have enough restraint equipment on hand to evacuate the entire unit in restraints.

VI. Cell Decorum Standards

A. Cell Decor

1. Cells shall be painted only with colors approved by the superintendent:
2. The painting of window glass shall not be permitted.
3. The painting of symbols, emblems, plaques, and the writing on walls shall not be permitted and shall be considered a disciplinary violation.
4. Floor coverings of any kind will not be allowed.

5. Wall decorations are not allowed in the Special Management Units. Anything found on a wall shall be considered an unauthorized wall hanging, which shall be subject to a disciplinary report.
6. Cell lights are not to be tampered with or covered.
7. Heating pipes are not to be covered.

B. Furnishings Provided by the Institution

1. One bed and mattress secured along the designated wall or floor if possible.
2. One secured desk/chair per cell.
3. One toilet and sink.

C. Maintenance of Cells

1. Heating pipes are not to be covered.
2. Cardboard boxes and paper bags are prohibited for storage use in the cells.
3. Cells must be kept clean and orderly.
4. Shelves on walls are not allowed.
5. Clotheslines in cells are not allowed.
6. Cleaning equipment cannot be kept in cells.
7. No spliced wiring is allowed on any electrical unit.
8. No plastic bags are allowed in any cell.

D. Weekly Cell Cleaning – Each superintendent shall ensure at a minimum that each inmate is given the opportunity to clean his cell weekly. Specific equipment shall be identified and safeguards taken to ensure security. At a minimum the following is allowable for the inmate:

An officer assigned to the unit shall pass a broom and dustpan/brush through the food slot and instruct the inmate to clean the cell. Items shall be issued one at a time with the exception of the dustpan/brush, which are given together. The inmate shall return all items to the officer in the same manner in which the items were received. A mop may be necessary and will be issued and returned in the

same manner described above. If necessary, the inmate may be given a spray bottle of pine cleaner and a powder cleanser.

A barrel shall be placed adjacent to the inmate's cell, in which the inmate shall dispose of all trash by placing it in the barrel via the food slot.

All empty cells shall be cleaned thoroughly by the unit worker and supervised and inspected by the unit officers.

VII. Inspections/Tours

Below is a list of designated staff members, other than unit staff, required to make inspections/tours of the Special Management Units and the frequency of such inspections/tours. Inspections/tours shall be documented in the Unit Visitor Log screen.

The superintendent shall require that all inmates on administrative segregation, protective custody or disciplinary detention status are personally observed by correctional staff at least every 30 minutes, on an irregular schedule, unless their behavior requires more frequent observation.

The superintendent shall require that inmates on protective custody or administrative segregation status receive visits from program staff upon request.

Superintendent	once per week
Deputy Superintendents	once per week
Director of Security	once per week
Shift Commanders/Special Management Unit	once per shift
Administrator/Designee	once per day
Nurse	once per day
Chaplains	once per week
Special Management Unit Correction Program Officer	Assigned to the unit or at a minimum three time per week (Mon., Wed., Fri., excluding holidays)

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
STANDARD OPERATING PROCEDURES
ATTACHMENT TO 103 CMR 423 SPECIAL MANAGEMENT
FOR PURPOSES OF ADDITIONAL REVIEW REQUIREMENTS FOR INMATES ON
AWAITING ACTION OR PROTECTIVE CUSTODY STATUS FOR NINETY (90) DAYS
OR MORE**

PURPOSE: To establish standard operating procedures to provide additional reviews for inmates in a special management unit or on special management status in an alternate unit on awaiting action or protective custody status for ninety (90) days or more.

I. Scope of Review

In addition to the review required by 103 CMR 423.08(2)(b), and the review required by 103 CMR 430.21(2) for an inmate under investigation for a possible disciplinary offense, the status of each inmate placed in a special management unit or on special management status in an alternate unit on awaiting action or protective custody status shall be reviewed as set forth herein within ninety (90) days of placement and at intervals of no longer than ninety (90) days thereafter. Inmates housed in a special management unit pending the availability of a bed in a Special Treatment Unit (STU) or following the imposition of a Departmental Disciplinary Unit (DDU) sanction, shall not receive the review required by this Standard Operating Procedure.

II. Review Process

- A. A Correctional Program Officer shall: (i) review information pertinent to the inmate's placement and retention in the special management unit or on special management status in an alternate unit on awaiting action or protective custody status; (ii) conduct a hearing; and (iii) make recommendations whether there is a need for the inmate's continued placement in a special management unit or on special management status.
- B. Notice. The inmate shall be provided with at least forty-eight (48) hours advance written notice of the scheduled hearing. The notice shall state the basis upon which the inmate is housed in the special management unit or on special management status in an alternate unit. Notice shall be documented and may be waived by the inmate in writing.
- C. Hearing. At the hearing, the inmate may offer a verbal or written statement and/or submit documentation to contest the rationale for his placement in the special management unit or on special management status in an alternate unit. The inmate shall not be entitled to call witnesses or to representation by counsel. At the conclusion of the hearing, the Correctional Program Officer shall inform the inmate orally of his recommendation as to whether there is a need for the inmate's continued placement in a special management unit or on special management status in an alternate unit.

In all instances where language barriers exist, the Telephone Interpreter Service shall be used, and its use documented. Hearing impaired inmates may request an interpreter pursuant to the procedures set forth in 103 DOC 207.00, Special Accommodations for Inmates.

The inmate's failure to appear at the scheduled hearing shall be deemed a refusal to appear.

- D. Recommendation. Within two (2) business days of the hearing, the Correctional Program Officer shall make a recommendation via IMS as to whether the inmate should continue to be housed in the special management unit or on special management status in an alternate unit and the rationale for such recommendation. A copy of this recommendation shall be served on the inmate.
- E. Inmate Appeal. If the inmate disagrees with the written recommendation of the Correctional Program Officer, the inmate may submit a written appeal within five (5) business days of service of the Correctional Program Officer's written recommendation.
- F. Final Decision. If the inmate does not appeal, waives appeal, or does not submit a timely appeal, the Deputy Superintendent for Classification and Treatment shall render the final decision via IMS and provide the inmate with such decision in writing. If the inmate has submitted a timely appeal, then the Superintendent shall render the final decision via IMS and provide the inmate with such decision in writing. The written decision shall explain the reasons for the inmate's placement/status and shall be provided to the inmate within twenty (20) business days after the date of the hearing.

Special Management Unit
Weekly Activity Log

Facility

Name:	Number	Cell
Status:	Date/Entry:	Date/Release:

Sun/Date:	Meals: B: Y R L: Y R D: Y R	Shower: Y N R Exercise: Y N R
------------------	--	--

Rounds: _____

Mon/Date:	Meals: B: Y R L: Y R D: Y R	Shower: Y N R Exercise: Y N R
------------------	--	--

Rounds: _____

Tues/Date:	Meals: B: Y R L: Y R D: Y R	Shower: Y N R Exercise: Y N R
-------------------	--	--

Rounds: _____

Wed/Date:	Meals: B: Y R L: Y R D: Y R	Shower: Y N R Exercise: Y N R
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Rounds: _____

Attachment A, Pg. 2 of 2

Thur/Date:	Meals: B: Y R L: Y R D: Y R	Shower: Y N R Exercise: Y N R
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Rounds: _____

Fri/Date:	Meals: B: Y R L: Y R D: Y R	Shower: Y N R Exercise: Y N R
------------------	--	--

Rounds: _____

Sat/Date:	Meals: B: Y R L: Y R D: Y R	Shower: Y N R Exercise: Y N R
------------------	--	--

Rounds: _____

Medical Rounds:

S:	M:	T:	W:	TH:	F:	SA:
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Visits: (if any)

Date:	Time:	Visitor(s)
Date:	Time:	Visitor(s)

Comments/Restrictions:

Y = YES

R = REFUSED

N = NOT OFFERED

**Commonwealth of Massachusetts
Department of Correction
Alternate Feeding Request**

Facility

Inmate Name	Number	Date	Time

Requested By: _____

Shift Commander Review: _____

Reason For Request:

Approved: _____
Superintendent,
Date

Approved: _____
Medical Authority,
Date

Therapeutic Diet: Yes _____ No _____

Day	Date	Breakfast	Lunch	Dinner	OIC Review
1					
2					
3					
4					
5					
6					
7					

Indicate "C" for compliance with feeding and "R" for refusing to comply with feeding.

Authorization for Removal:

Approved: _____
Superintendent,
Date

Approved: _____
Medical Authority,
Date

Forward to inmate's case file upon completion.

**Commonwealth of Massachusetts
Department of Correction
Extra Restraint Status Request**

Facility

Inmate Name	Number	Date	Time

Requested By: _____

Shift Commander Review: _____

Reason For Request:

Approved: _____

Superintendent/Designee, Date

Denied: _____

Superintendent/Designee, Date

Day	Date	Comments on Behavior	OIC Review
1			
2			
3			

If after three days the inmate's behavior does not improve an additional three day request must be submitted.

Authorization for Removal:

Approved: _____

Superintendent/Designee, Date

Forward to inmate's case file upon completion.

Week Beginning: _____ **and Ending:** _____

Emergency phone calls must be approved by the shift commander.

Inmate Name	Number	Date	Time

[illegible]

Signature **Date**

[illegible]

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**Commonwealth of Massachusetts
Department of Correction
Law Library Services/Materials Request**

Inmate Name	Facility Number	Date	Time

I AM IN NEED OF THE FOLLOWING LAW LIBRARY SERVICES:

- ___ REQUEST TO GO TO THE LAW LIBRARY/SATELLITE AREA (IF APPLICABLE AT THE FACILITY)
- ___ ASSISTANCE – LAW CLERK/LIBRARIAN – SPECIFY BELOW
- ___ NOTARY SERVICES
- ___ LEGAL SUPPLIES – PENCILS, PAPER, ENVELOPES (FOR CORRESPONDENCE WITH COURTS ONLY)
- ___ LEGAL MATERIAL – SPECIFY BELOW

PLEASE NOTE WHAT YOU ARE LOOKING FOR AS SPECIFICALLY AS POSSIBLE
(CONTINUE ON OTHER SIDE IF NECESSARY):

COPIES WILL BE PROVIDED TO YOU WITHIN THREE BUSINESS DAYS.

STAFF USE ONLY

DATE RECEIVED:_____ REQUEST: APPROVED DENIED

DATE REQUEST COMPLETED:_____

COMMENTS:_____

STAFF NAME

(Forward to inmate's case file upon completion)

HARD COVER BOOK WAIVER (SMU)

Date: _____

Inmate's Name: _____

Inmate's Commitment #: _____

I freely and knowingly give the Institution Property Officer permission to remove and destroy the hard covers from the following book(s):

- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

I hereby waive any and all claims against the Commonwealth of Massachusetts, the Executive Office of Public Safety and Security, the Department of Correction, and any of their agents, officers, representatives or employees, past and present, for damages or any injury as a result of the removal of the hard covers from these books. In addition, I, for myself and my agents, heirs, employees, successors, and assigns, agree to release and forever discharge the Commonwealth of Massachusetts, the Executive Office of Public Safety and Security, the Department of Correction, and their agents, officers, representatives and employees from any and all liability, causes of action, claims, suits, damages, obligations, agreements, debts, judgments, or any other matter arising out of or in any way connected directly or indirectly with the removal of the hard covers of the above-entitled books.

Inmate Signature: _____
Date

Approval: _____
SMU Administrator Date

Book(s) delivered to Inmate: _____
Institution Property Officer Date